

REQUESTS FOR CONTINUANCE

A request that the appeal's hearing be "continued" is a request that hearing be postponed to another day on the SPB Hearing Calendar. Requests for continuances are discouraged as it is common that the parties may not get another hearing date for two months.

All continuance requests must:

- be in writing;
- state the reason(s) why a continuance is being requested;
- state the position of the opposing party to the continuance request;
- waive the appellant's rights to the hearing timeframes pursuant to Government Code section 18671.1 for the time period of the continuance; and
- be sent to the opposing party's representative.

Requests Made More than 30 days from the Hearing Date: If both parties agree to the request, the Calendaring Clerk will automatically grant the request.

What Happens if the Opposing Party Objects to the Continuance Request: If the opposing party objects to the continuance request, the matter will be forwarded to the Calendaring Judge for decision.

Requests Made Less Than 30 days from the Hearing Date: These requests are NOT automatically granted, even if both parties agree to the request. These requests are forwarded to the assigned Administrative Law Judge (ALJ) for determination. If an ALJ has not yet been assigned to hear the appeal, the continuance request will be forwarded to the Calendaring Judge for determination.

Requests for Continuance in Matters Scheduled for Subsequent Days of Hearing: If an appeal has already had its first day of hearing, all continuance requests must be directed to the assigned ALJ.

Calendaring Section's Facsimile: (916) 651-8949
Continuance Phone Line: (916) 653-2009